

CITY COMMISSION MINUTES

December 3, 2013

7:00p.m.

CALL TO ORDER

The regular meeting of the Junction City Commission was held on Tuesday, December 3, 2013 with Mayor Cecil Aska presiding.

The following members of the Commission were present: Cecil Aska, Pat Landes, Mick McCallister, Mike Ryan, and Jim Sands. Staff present was: City Manager Smith, Assistant City Manager Beatty, City Attorney Logan, and City Clerk Ficken.

PUBLIC COMMENT

Robert Spitari stated that he believes there are not enough animal hoarding issues in Junction City to warrant a limit on the number of pets. He also stated that as a member of the Geary County Landlord Association he would like the City to address the revert to owner charge.

Mary Louise Stahl stated that she appreciates the confidence and respect she has received as an employee. She thanked the City for the future support of the Opera House and for recognizing the value of the Opera House. She stated that the building is very busy now and it is humming with activity. She thanked the Commission and community for spending their entertainment dollars at the Opera House.

Lenea Alt with the Animal Shelter Board and Friends of Animals stated that she was disappointed that the Ordinance did not pass at the last meeting without a limit on pets. She stated that the Friends of Animals volunteers spend a lot of time in the trenches to get animals adopted. Mrs. Alt stated that a limit occurs on its own depending on the resources of the pet owners.

Kelly Mosley stated that she is unable to turn animals away. She rehabilitates animals; she recently helped an animal with fleas, and worms. She is not going to turn animals away.

Jennifer Mott stated that the City needs to focus on eliminating puppy mills. There are people that abuse animals. She helps animals and sometimes you become very attached to them.

Janet Vogelsang stated that she is Going to miss Mary Louise Stahl and she is looking forward to sustainability.

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Ruth Sanders stated that the State sets the animal limit at 19. She stated that there are other laws on the books that address noise and smells associated with too many animals. Speaking for Jennifer Gfeller, she stated that the City does not have an animal hoarding problem. The Commission is invited to visit the Animal Shelter. Tough spay and neuter policies would help curb the population problem.

Jim Fawcett stated that he has shelter licenses for his homes. Their family has taken in a pet Chihuahua that had been kept in a closet for 10 years. Putting a limit on the number of animals will not solve many of the problems. He stated that many parts of the new law are good. Focusing on spay and neuter programs is a good idea.

Emily Fawcett stated that the proposed numbers are arbitrary. There are currently laws in place that address too many pets. Junction City does not have a hoarding problem; do not fix a problem that doesn't exist.

Barbara Craft stated that she is glad to have had Mary Louise Stahl working for the Opera House. The usage of the facility has increased tremendously. The building now functions as a civic center in addition to a performance arts center. Mrs. Craft stated that Mr. Smith has hit the ground running and she is looking forward to moving to the next level.

John Stewart stated that money should be spent on infrastructure repairs. Housing sales are down; people are renting instead of buying. He stated that he believes Commissioner Sands made a mistake when stated that people should buy items online; people need to spend money at local businesses.

Beth Valentine stated that she is opposed to the proposed grandfather clause in the proposed animal ordinance. She stated that some people should be allowed to have zero animals. Since the City does not know the financial situations of the residents the limit should not be set. She stated that this would throw the City back to the Stone Age; and the City is not prepared for the flood of animals that will show up at the animal shelter.

Gary Olds of the Geary County Landlord Association stated that he would like to be notified in advance when the City will discuss the issue of revert to owner. His position is in opposition of the \$25 fee.

Dorris Nelson stated that a cat has adopted her. She has dogs that live in all directions around her. He would like to be able to put her cat out but it is sad that the dogs bark and scare her animal on her own property. She stated that she feels her right to enjoy her back yard is limited.

CONSENT AGENDA

Consideration of Appropriations Ordinance A-23-2013 dated November 13, 2013 to November 26, 2013 in the amount of \$1,437,458.90. Commissioner Sands moved, seconded by Commissioner Ryan to approve the consent agenda. Ayes: Aska, Landes, McCallister, Ryan, Sands. Nays: none. Motion carried.

Consideration of November 19, 2013 City Commission Minutes. Commissioner Sands moved, seconded by Commissioner Ryan to approve the consent agenda. Ayes: Aska, Landes, McCallister, Ryan, Sands. Nays: none. Motion carried.

Consideration and approval of Payroll #22, #23 and #24 for the month of November. Commissioner Sands moved, seconded by Commissioner Ryan to approve the consent agenda. Ayes: Aska, Landes, McCallister, Ryan, Sands. Nays: none. Motion carried.

Consideration of the purchase of three Police vehicles. Commissioner Sands moved, seconded by Commissioner Ryan to approve the consent agenda. Ayes: Aska, Landes, McCallister, Ryan, Sands. Nays: none. Motion carried.

Consideration and Approval of a Lease Termination Agreement with Nextel West Corporation at the Spruce Street Water Tower. Commissioner Sands moved, seconded by Commissioner Ryan to approve the consent agenda. Ayes: Aska, Landes, McCallister, Ryan, Sands. Nays: none. Motion carried.

SPECIAL PRESENTATIONS

Presentation of Life Saving Award to Mr. Monte McWilliams, Mr. Ace Thompson and Officer Brad Diel on behalf of the Junction City Police Department. Presented by Mayor Aska and Police Chief Tim Brown.

PUBLIC HEARING

Public Hearing for discussion of amendments to the 2013 budget. Mayor Aska opened and closed the public hearing. No public comments were made.

NEW BUSINESS

Consideration of 2013 budget amendment. Assistant City Manager Beatty stated that the funds being amended received funds available to spend beyond their current budget authority; the amendment will allow the funds to be spent. Commissioner Ryan moved, seconded by Commissioner Sands to approve the 2013 budget amendment as presented. Ayes: Aska, Landes, McCallister, Ryan, Sands. Nays: none. Motion carried.

Adoption of Ordinance G-1134, a new code for Animal Control in Junction City, Chapter 215 of City Code. Assistant City Manager Beatty stated that the five (5) limit on certain animals was not arbitrary; the committee reviewed the laws of other communities that ranged from 3-6 animals. She stated that there was an instance in Junction City where a home had to be torn down as a result of animal hoarding. City Prosecutor Blaisdell stated that the ordinance tightens other items such as tethering which will curb abuse. City Prosecutor Blaisdell stated that the

City should not wait for problems to occur before adopting a policy. Commissioner McCallister stated that he sees the passion of Friends of Animals; this has taken too long and it is time to move forward. Mayor Aska stated that he believes neighbors are sometimes intimidated when it comes to speaking about their neighbors. Mayor Aska stated that he conducted his own personal survey which included 13 opposed to the limit, 9 in favor, and 3 uncommitted; ultimately the animals need to be protected. Commissioner Ryan thanked Mrs. Nelson for her input but he doesn't believe that limiting to 5 animals will help in her situation since she is surrounded by a number of dog owners. Commissioner Landes apologized for not being able to attend the last meeting. Commissioner Landes stated that making tough decisions is difficult; he supported the limit of 5 while on the committee. He believes some of the scare tactics employees by some is bologna. Commissioner Sands stated that he worked on Ft. Riley where the limit was 3 animals; he supports the 5 animals limit. Commissioner Ryan moved, seconded by Commissioner McCallister to approve Ordinance G-1134 with Section 7(B.24) removed. Ayes: Landes, McCallister, Ryan. Nays: Aska, Sands. Motion carried.

Consideration of economic development agreement amendment with Ventria. Commissioner McCallister moved, seconded by Commissioner Landes to approve the Ventria economic development agreement amendment as presented. Ayes: Aska, Landes, McCallister, Ryan, Sands. Nays: none. Motion carried.

Consideration of a Letter of Understanding with the Kansas Bioscience Authority. Assistant City Manager Beatty stated that releasing the funds would allow the Kansas Bioscience Authority to fund other projects in the state. Commissioner Landes stated the the reason for the delay is that the product was initially considered a food, but not it is a drug which puts approval on a longer trajectory. Commissioner Landes moved, seconded by Commissioner Ryan to approve the Letter of Understanding with the Kansas Bioscience Authority as presented. Ayes: Aska, Landes, McCallister, Ryan, Sands. Nays: none. Motion carried.

Consideration and Approval of the Award of Bid for the Purchase of Portable Vehicle Lifts within the Department of Public Works – to Roberts Truck Center. Municipal Services Director McCaffery stated that the proposed lifts are battery operated with no cords that will create tripping hazards'. Commissioner Sands stated that he would like a photo of future items for purchase. Commissioner McCallister moved, seconded by Commissioner Landes to approve the award of bid for portable vehicle lifts to Roberts Truck Center in the amount of \$32,999.99. Ayes: Aska, Landes, McCallister, Ryan. Nays: Sands. Motion carried.

EXECUTIVE SESSION

Move to recess into executive session under KSA 75-4319(b)(13)(C) for discussion of matters relating to the security measures of a public body or agency, public building of facility or the information system of a public body or

agency. At 9:00 PM Commissioner McCallister moved, seconded by Commissioner Landes to adjourn into executive session for 20 minutes to discuss matters relating to the security measures of a public body or agency, public building of facility or the information system of a public body or agency. Ayes: Aska, Landes, McCallister, Ryan, Sands. Nays: none. Motion carried. At 9:20 PM Commissioner Ryan moved, seconded by Commissioner Landes to adjourn from executive session where no decisions were made and no action was taken. Ayes: Aska, Landes, McCallister, Ryan, Sands. Nays: none. Motion carried.

Consideration of R-2741 Junction City building security plans. Commissioner Landes moved, seconded by Commissioner Ryan to approve R-2741 Junction City building security plans. Ayes: Aska, Landes, McCallister, Ryan, Sands. Nays: none. Motion carried.

COMMISSIONER COMMENTS

Commissioner Landes stated that he watched the last meeting from home, and it looked like a bad Bruce Lee movie. Commissioner Landes expressed his reservations with approving the increase for the Opera House staff; \$100,000 is a jaw dropping number. Commissioner Landes stated that the new staff need to bring in a lot of money. Commissioner Landes stated that the animal shelter can provide a good pet to a good family.

Commissioner Ryan stated that he was deeply touched by the service awards tonight.

Commissioner Sands stated that Christmas lights are a passion for him. Make sure that you provide your time and resources to others this holiday season.

Commissioner McCallister stated that the pet issue was painful; it was good, bad, and ugly at times.

Mayor Aska stated that Mr. McWillaims should be very proud of his son; he raised a great one. Mayor Aska stated that if he had a son, he would hope he could be as courageous. Mayor Aska stated that the Christmas parade was good, and Ventria & NBAF are helping Junction City look in a positive direction.

ADJOURNMENT

Commissioner Sands moved, seconded by Commissioner McCallister to adjourn at 9:30 p.m. Ayes: Aska, Landes, McCallister, Ryan, Sands. Nays: none. Motion carried.

APPROVED AND ACCEPTED THIS 17TH DAY OF DECEMBER AS THE
OFFICIAL COPY OF THE JUNCTION CITY COMMISSION MINUTES FOR
DECEMBER 3, 2013.

Tyler Ficken, City Clerk

Cecil Aska, Mayor